

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Palmetto Conservation Foundation,)
)
 Plaintiff,) C.A. No. 8:08-2738-HMH
)
 vs.) **OPINION & ORDER**
)
)
H.J. Smith,)
)
)
 Defendant.)

This matter is before the court on H.J. Smith’s (“Smith”) motion for reconsideration of the court’s July 31, 2009 Order granting the Plaintiff’s motion for partial summary judgment and denying Smith’s motion to lift the preliminary injunction and amend his answer. The “district court retains the power to reconsider and modify its interlocutory judgments, including partial summary judgments, at any time prior to final judgment when such is warranted.” American Canoe Ass’n v. Murphy Farms, Inc., 326 F.3d 505, 514-15 (4th Cir. 2003). Further, “[m]otions for reconsideration of interlocutory orders are not subject to the strict standards applicable to motions for reconsideration of a final judgment.” Id. at 514.

In his motion, Smith reasserts his arguments and presents no new facts or evidence which alter the court’s findings in its July 31, 2009 Order. In addition, Smith has identified no error of law. Therefore, Smith’s motion, docket number 96, is denied.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
August 11, 2009